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**STATE OF DELAWARE**  
**BOARD OF FUNERAL SERVICES**

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<b>PUBLIC MEETING MINUTES:</b>	<b>BOARD OF FUNERAL SERVICES</b>
<b>MEETING DATE AND TIME:</b>	<b>Tuesday, March 24, 2015, 10:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room B</b> , second floor of the Cannon Building
<b>MINUTES APPROVED:</b>	June 30, 2015

**MEETING MINUTES**

**MEMBERS PRESENT**

S. Keith Parsell, Professional Member, President  
Duwayne Casini, Professional Member, Secretary  
Chad Chandler, Professional Member  
Danna Levy, Public Member  
Jane Hovington, Public Member  
Mary Byrd, Public Member

**MEMBERS ABSENT**

Bill Torbert, Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL**

David Mangler, Director of Professional Regulation  
Kevin Maloney, Deputy Attorney General  
Sheryl Paquette, Administrative Specialist III

**OTHERS PRESENT**

None

**CALL TO ORDER**

Mr. Parsell called the meeting to order at 10:02 a.m.

**REVIEW AND APPROVAL OF MINUTES**

The Board reviewed the minutes of the January 27, 2015 meeting. Mr. Parsell recommended a minor change on Page 2. Ms. Byrd made a motion, seconded by Mr. Casini, to approve the minutes as corrected. By unanimous vote, the motion carried.

**UNFINISHED BUSINESS**

2010 – 2012 Continuing Education Audit – Status of Deficient & Failed Audits

James Barrancho – 20 CEUs approved by APFSP

Ms. Paquette said after calling about the submitted CEUs, it was determined they were approved by the Academy of Professional Funeral Service Practice (APFSP). It was determined by the Board that Mr. Barrancho has the appropriate approved CEUs earned for the audit.

Robert Lakatos

Ms. Paquette stated that Mr. Lakatos had sent in 10 CEUs from the prior audit period; therefore, only 5 CEUs can be carried over for this audit period. A letter will be sent to Mr. Lakatos stating that he still owes 5 CEUs.

William Zwicharowski

Timothy Meyers

Ms. Paquette stated she called the Pennsylvania Funeral Directors Association and the Pennsylvania Cemetery, Cremation and Funeral Association and was told by both agencies they felt the courses were automatically approved by Delaware. It was explained to both of them that they would have to submit documentation for approval for any courses they wish to offer with Delaware approval. Deputy Attorney General Maloney said it clearly states in the regulations that courses must be either approved by this Board or the National Board to be accepted, and they were not. Rule 9.4.7 states an application for approval may be submitted after the program has taken place; therefore, the auditees have two options. Mr. Parsell asked Ms. Paquette to send letters to both Mr. Zwicharowski and Mr. Meyers stating they need to either submit documentation to be approved for the courses they've already taken, or take new courses and submit approved CEUs for the ones they do not have. Mr. Chandler asked that letters be sent to the Pennsylvania Funeral Directors Association and the Pennsylvania Cemetery, Cremation and Funeral Association reminding them that all courses must be approved by the Delaware Board of Funeral Services if they wish to grant Delaware approval to attendees.

Miller Funeral Home, Funeral Establishment Permit

Mr. Parsell reminded the Board that Mr. Miller's application was reviewed at the last meeting and it was determined that he needed to have a locked preparation room in his establishment per the Board's rules and regulations. Correspondence was received from Mr. Miller stating he has now met that obligation. After Board discussion, Mr. Chandler made a motion, seconded by Ms. Byrd, to approve a Funeral Establishment license for the Miller Funeral Home. The motion passed unanimously.

The Conference 2015 Annual Meeting

Mr. Parsell gave a report on the conference. His report is attached at the end of the minutes.

Mr. Parsell brought up the issue of using personal email addresses for doing Funeral Board business. He said this issue was brought up at the Conference. It was suggested that possibly the state would be able to create email addresses for Board members to use. Deputy Attorney General Maloney reminded the Board that they should not be discussing business with each other using email so the only email communication should be with the Board Liaison Ms. Paquette.

**NEW BUSINESS**

**RATIFICATION OF LICENSURE**

None

**REVIEW OF RESIDENT INTERN REPORTS**

None

**REVIEW OF APPLICATIONS FOR LICENSURE**

**Taneesha Smith, Funeral Director**

Mr. Casini reviewed her application. Mr. Casini made a motion, seconded by Ms. Levy, to approve her application for licensure contingent on her passing the state exam. The motion passed unanimously.

**REVIEW OF APPLICATIONS FOR CONTINUING EDUCATION APPROVAL**

**McCreary & Harra Funeral Home**

Only Memories Last Longer, TBD, Requesting 1 CEU

Ms. Byrd reviewed the application for continuing education and made a motion, seconded by Ms. Levy, to approve the application as submitted. The motion carried unanimously.

**COMPLAINT UPDATES AND CONSENT AGREEMENTS**

None

**HEARING OFFICER RECOMMENDATIONS**

None

**CONSENT AGREEMENTS**

None

**CORRESPONDENCE**

None

**OTHER BUSINESS BEFORE THE BOARD** (for discussion only)

**Maryland Board – Question about Delaware's Licensure Process**

Mr. Parsell said he received information from the Executive Director of the Maryland Board of Funeral Services regarding an individual that had applied for Maryland licensure as a Funeral Director. He said this individual sought licensure based on reciprocity from Delaware. The Maryland board denied licensure because they felt she did not have the required credit hours to have been licensed in Delaware. Mr. Parsell said he received a call yesterday that a lawsuit is pending against the Maryland Board. After much discussion, the Board determined this licensee did meet Delaware's requirements for licensure. They asked Ms. Paquette to send a letter to the Maryland board requesting that they keep the Board informed of the outcome of the case.

**Delaware LRR Exam Questions**

The Board reviewed the current LRR Exam questions. After much discussion and review, the Board felt there were issues with some of the material. The Board decided to review the exam again and make necessary changes to it once their proposed legislation is completed this year.

Mr. Parsell said there was discussion at the National Conference regarding allegations made against an out-of-state mortuary school with regard to testing practices. He explained he wanted to make the Board aware of the allegations so they are aware of the situation should they hear anything about it.

**PUBLIC COMMENT**

None

**NEXT MEETING**

The next Board meeting will be held on Tuesday, May 19, 2015, at 9:00 a.m. in Conference Room B located on the second floor of the Cannon Building at 861 Silver Lake Boulevard, Dover, Delaware.

**ADJOURNMENT**

There being no further business, Mr. Casini made a motion, seconded by Ms. Levy, to adjourn the meeting at 11:40 a.m. The motion to adjourn carried unanimously.

Respectfully submitted,



Sheryl Paquette  
Administrative Specialist III

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.*

**The International Conference of Funeral Service Examining Boards  
Annual Meeting Feb. 24 - 26, Dallas, Texas**

Submitted to the Delaware State Board of Funeral Services-3/24/2015

Attended by S. Keith Parsell- President — Delaware Board of Funeral Services.

Presenters at all levels of the entire event were excellent, thoroughly prepared and kept the interest of all attendees. The attendees were from a broad spectrum of Licensed Funeral Directors, Morticians, DAG's, Inspectors, Executive Directors and Educators. Maryland's current Board President, Dr. Harry Close was elected President for the next year of the Conference.

The training session for day one and part of day two of the conference was extremely well worth the attendance. The overall explanation of general definitions of subject matter which is common to all states was discussed at length as well as how those definitions would play out in various legal scenarios. Several case law studies were presented and critiqued in regards to the potential impact they might have on any board member's decision making process.

Overall, Delaware is in real good shape compared to many states in attendance at the conference, especially since we have just gone through the Sunset Process which will hopefully allow us to further clarify our rules and regulations.

Many of the items that were presented were done so as guidelines for states to use in forming their own regulation or to assist in strengthening their existing regulations.

The second half of the event was the actual conference meeting with representatives and delegates from approximately 26 states and several provinces from Canada. Two major items topped the list for the overall event, one being the passage of the Conference Model Practice Act which was an endeavor to develop a generalized outline of subject matter to assist existing boards in designing a ground up set of regulations or to assist existing boards in modernizing existing regulations to keep up with the many changes occurring in the industry. The Act will be a fluid document and will constantly be adjusted to accommodate the changing face of funeral service.

One arena which had many different opinions was in regards to actual definitions used in funeral service. Some examples would be the definitions for embalming, cremation, alkaline hydrolysis, reciprocity, courtesy card, funeral/embalmer license verses individual for each, full time employment, human remains, practice of funeral service and transporter. Suggested definitions have been put forth and approved by the Conference, however, may not meet with the satisfaction of everyone.

Considerable discussion was made in regards to what is considered an appropriate internship; i.e. number of hours worked and various thresholds of abilities and reports.

Establishment of thorough guidelines for crematory operators was amplified at many levels as the national cremation rate soars.

Minimum age requirements were discussed and were somewhat a point of contention depending on what area of the country you were from.

Considerable discussion was presented by every state in attendance on the abusive programs for harvesting organs and the subsequent sale of these organs disguised as handling charges. The consent forms have been found to be all inclusive thus converting the decedent to a cadaver which is no longer considered a human remains by federal statute. It was the consensus of all that the state boards need to make sure that families are

quite aware of what they are agreeing to as once they give permission on the forms the organizations can take whatever they want and do with them as they please.

Concierge funeral services was a complaint by many as they are circumventing weak state regulations. The problem is that most states have no regulations in place as this is a new facet of funeral service.

Requirements for photo ID licenses as well as requiring police background checks is becoming the norm in most states.

Discussion of the National Board Exam pointed out several points of interest- 75 is passing score----the pass rate is only 76% on first go round.

I asked why such a large fail rate when the exam is administered right after school in most cases—No Real Good Answer Why!! I asked the same question of four senior officials of four major Mortuary Schools in attendance and they did not have the answer. Interestingly enough was that most funeral personnel I spoke with are of the same opinion; the schools are very lax and are pushing anyone through; and the quality of the potential employees coming out is minimal at best. The majority of students in the Mortuary School Programs are second career and women. Also, there is huge dropout rate as many students have never even been to a funeral let alone stepped foot inside a funeral home, therefore, they are shocked at what is required of them during their first days of orientation.

Once again Delaware is well ahead of the curve on regulations, however, with all the new things coming down the pike we must act quickly to clean up our rules and regulations and to develop new ones to accommodate the major changes currently happening as well as future ones.

I would like to thank the Board for permitting me the opportunity to represent Delaware at this event and look forward to the next one. Perhaps other members of the Board would like to attend. It would be well worth your while and the 2016 event will be in Newport Beach, California.

Respectfully submitted,

S. Keith Parsell